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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/049,533	06/18/2002	Jeremy Curtis	GILLP005	3993
22434	7590	03/14/2005	EXAMINER	
BEYER WEAVER & THOMAS LLP			PHU, SANH D	
P.O. BOX 70250			ART UNIT	
OAKLAND, CA 94612-0250			PAPER NUMBER	
			2682	

DATE MAILED: 03/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/049,533	CURTIS, JEREMY	
	Examiner	Art Unit	
	Sanh D Phu	2682	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 June 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Information Disclosure Statement

1. The IDS filed 2/12/2002 has been considered and recorded in the file.

Claim Rejections – 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this

Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-2, 5, 9-11, 14 are rejected under 35 U.S.C. 102(e) as being anticipated by Bork (6,255,800).

Regarding to claim 1, see Fig. 10, 11, 13 and 19, Bork discloses a Bluetooth adaptor (46) for allowing a communications device to accept a

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connection from a Bluetooth enabled device, the communications device having an output which periodically outputs a connection request signal, the adaptor comprising:

an input for coupling to the output (see Fig. 10, 11, 13, number 12);

a radio for providing Bluetooth connectivity (44); and

a processor coupled (68) (see Fig. 19) to the input and the radio, wherein,

in use the processor is adapted to:

cause a Bluetooth connection to be established in response to a connection request from the Bluetooth enabled device (see Fig. 11, 13 and 19, col. 6, line 46 to col. 7, line 22); and

once the Bluetooth connection has been established, cause a connection to be established with the communications device via the input in response to a connection request signal received at the input (see Fig. 11, 13 and 19, col. 6, line 46 to col. 7, line 22).

Regarding to claims 2, 9 and 14, Bork discloses an adaptor device/method wherein the communications device (10) is adapted to communicate in accordance with a first communications protocol (12 and 43,

USB protocol), and wherein the Bluetooth enabled device is adapted to communicate in accordance with a second communications protocol (44, bluetooth protocol), the processor being further adapted to translate data between the first and second protocols as required (see Fig. 11 and 19).

Regarding to claims 5 and 11, see Fig. 10, 11, 13 and 19, Bork discloses a system/method for allowing a communications device to accept a connection from a Bluetooth enabled device, the system/method comprising:

- a communications device (10) having: an output (see Fig. 11); and

- a processor coupled to the output, the processor being adapted to periodically generate a connection request signal at the output (70, see Fig. 19),
adaptor having:

- an input for coupling to the output (see Fig. 10, 11, 13, number 12);

- a radio for providing Bluetooth connectivity (44); and

- an adaptor processor (68) coupled to the input and the radio, wherein, in use the processor is adapted to:

cause a Bluetooth connection to be established in response to a connection request from the Bluetooth enabled device (see Fig. 11, 13 and 19, col. 6, line 46 to col. 7, line 22); and

once the Bluetooth connection has been established, cause a connection to be established with the communications device via the input in response to the connection request signal received at the input (see Fig. 11, 13 and 19, col. 6, line 46 to col. 7, line 22).

Regarding to claim 10, Bork disclose a system wherein the adaptor (46) is an adaptor (see Fig. 11 and 19).

Claim Rejections – 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bork (6,255,800) in view of Mault (2003/0126593).

Regarding to claim 4, Bork does not disclose that an adaptor device comprises a store for storing data to be transferred between the Bluetooth enabled device and the communications device.

Mault discloses that a module comprises a memory store for storing data to be transferred between the bluetooth enable device (see Fig. 5, section [0068]).

Therefore, it would have been obvious for one skilled in the art to implement a memory in the bluetooth adaptor/module, as taught by Mault, in order for storing data so that the bluetooth device is able to transmit quicker.

6. Claims 7, 8, 12 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bork (6,255,800) in view of Parrott et al (6,618,580).

Regarding to claim 7, Bork does not disclose a system wherein the output is for coupling to a modem, the connection request signal being a modem connection request signal.

However, Parrott et al disclose that the system (10, see Fig. 1) wherein the output is for coupling to a modem (24 on the modem 12, see Fig. 1), the connection request signal being a modem connection request signal (see col. 3, lines 44–55, col. 4, lines 20–30 and col. Col.5, lines 27–31).

Therefore, it would have been obvious for one skilled in the art to have a bluetooth system with periodically transmits/receives the signal request, as taught by Parrott et al, so that the user of the communication device is able to communicate with the bluetooth system periodically without interruption.

Regarding to claims 8 and 12, Bork does not disclose a system/method wherein the system/method further comprises causing the communications device to periodically output a connection request signal in response to a request from the user of the communications device.

However, Parrott et al disclose that the system/method comprises causing the communications device to periodically output a connection request signal in response to a request from the user of the communications device (see col. 3, lines 44–55, col. 4, lines 20–30).

Therefore, it would have been obvious for one skilled in the art to have a bluetooth system/method with periodically transmits/receives the signal request, as taught by Parrott et al, so that the user of the communication device is able to communicate with the bluetooth system/method periodically without interruption.

Regarding to claim 13, Bork does not discloses a method wherein the adaptor accepts a Bluetooth connection from the Bluetooth enabled device by:

monitoring for a connection request signal from the Bluetooth enabled device; and

generating a response indicating that the connection is to be accepted.

However, Parrott et al disclose that a method wherein the adaptor accepts a Bluetooth connection from the Bluetooth enabled device by:

monitoring for a connection request signal from the Bluetooth enabled device (see col. 3, lines 44–55); and

generating a response indicating that the connection is to be accepted.

(see col. 3, lines 44–55).

Therefore, it would have been obvious for one skilled in the art to have a bluetooth system with periodically transmits and monitors the signal request, as taught by Parrott et al, so that the user of the communication device is able to communicate with the bluetooth system periodically without interruption.

7. Claims 3 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bork (6,255,800).

Regarding to claims 3 and 6, Bork discloses an adaptor is adapted to a laptop computer, he does not disclose the adaptor is adapted to PDA

However, the examiner takes Official Notice that the PDA is known in the art. It would have been obvious for one skilled in the art of the time of the invention was made to have the PDA in Bork, so that the user can carry and put in the pocket.

Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sanh D Phu whose telephone number is (703) 305-8635. The examiner can normally be reached on 8:00-16:30.


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The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-8635.

Sanh D. Phu
Examiner
Art Unit 2682

SP



LEE NGUYEN
PRIMARY EXAMINER